



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
Diane M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2305590
Applicant Name: Steve Nielsen
Address of Proposal: 2625 NW 58th Street

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one (1) parcel into four (4) unit lots of land. Proposed unit sizes are: A) 1,109 sq. ft., B) 1,266 sq. ft., C) 1,287 sq. ft., and D) 1,339 sq. ft.

DPD Project #2304342 with Permit #737567 to establish use and construct two duplex townhouses with attached garages per plans was issued on September 2, 2003.

The following approval is required:

Short Subdivision – to subdivide one (1) existing parcel into four (4) unit lots of land.
(Chapter 23.24, Seattle Municipal Code)

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

 ☐ DNS with conditions

 ☐ DNS involving non-exempt grading or demolition or
 involving another agency with jurisdiction.

BACKGROUND DATA

Site and Area Description

This rectangular shaped proposal site is approximately 5,000 square feet in area located in a Multifamily Residential Lowrise (L-2) zone. It is the eighth lot east of 28th Avenue NW at the south side of NW 58th Street. The proposal site has 50.00 lineal feet of front lot line on NW 58th Street and 100.02 feet of lot depth. NW 58th Street is improved with paved roadway, concrete curbs/gutters, planting strips and concrete sidewalks. Vehicle access with new common driveway for all the unit lots is from NW 58th Street through an eleven-foot (11') wide easement along the west lot line of the proposed Unit Lot B and into a common backing and maneuvering area in front of each townhouse garage. The easement for the vehicle backing and maneuvering is also provided by each unit lot. Each unit lot has its own private open space with landscaping and screening for privacy.

Development in the Vicinity

Zoning designations in the immediate vicinity of the site are L-2 to the north, L-3 to the northeast and east beyond 26th Avenue NW, L-3 to the southeast and south beyond the alley between NW 57th Street and NW 56th Street, and L-1 to the west with the zone line about seven lots west of the site. Most of the existing development within the immediate vicinity are multifamily structures except for a few existing old single family residences. In the L-3 zones, apartments, four-plexes, triplexes and townhouse plats dominate the development.

Proposal Description

The applicant proposes to short subdivide one parcel of land into four (4) unit lots. Proposed unit lot sizes are: Unit Lot A) 1,209 square feet, Unit Lot B) 1,266 square feet, Unit Lot C) 1,287 square feet, and Unit Lot D) 1,339 square feet. Each unit has its own designated private open space meeting the standards of the zone.

Public Comments

Notice was published on September 4, 2003 and the comment period ended on September 17, 2003. No comment letters from the public were received.

ANALYSIS

Pursuant to SMC 23.24.040, no short subdivision shall be approved unless all the following facts and conditions are found to exist. The findings which follow are based upon the information provided by the applicant; review of access, drainage and zoning within the Department of Planning and Development (DPD), review from the Seattle Public Utilities, Seattle Fire Department, the Seattle City Light, and the review by Land Use Planner.

1. Conformance to the applicable provisions and requirements of the Land Use Code;

The existing parent lot subject to this subdivision conforms to all the development standards of the L-2 zone. The parent lot's existing configuration provides adequate buildable area to the required density, lot coverage requirements, setbacks, height and other land use code development standards. The unit lots proposed by this subdivision conform to the standards for unit lot subdivision per SMC 23.24.045 and the provision applicable to the unit lot subdivisions. Any new development must conform to the land use provisions and code requirements at the time of the application.

2. Adequacy of access for vehicles, utilities and fire protection as provided in Section 23.53.005;

All of the Unit Lots A, B, C, and D are provided with a common vehicle ingress/egress driveway from NW 58th Street through an eleven-foot (11') wide easement leading into a common backing and maneuvering area in front of the garage of each unit. Unit Lot B provides this access easement. The backing and maneuvering area from each of the unit lot garage is in a common easement provided by all the unit lots.

The Seattle Fire Department has reviewed and approved this proposal for adequacy of access for emergency vehicles.

The Seattle City Light has reviewed this short subdivision application and has indicated that an easement is required for electrical service to the proposed lots. The easement as described in the Seattle City Light memorandum dated September 17, 2003 and in "Exhibit A to the City of Seattle Short Subdivision No. 2305590" will be included on the face of the plat.

3. Adequacy of Drainage, water supply, and sanitary sewage disposal;

Storm water will be discharged into the public storm drain (PSD) in 28th Avenue NW by way of curb discharge on NW 58th Street. Plan review requirements were made at the time of the building permit application and construction of the two duplex townhouses under Permit # 737567 which was issued on September 2, 2003.

Seattle Public Utilities has reviewed this unit lot subdivision application and approved a Water Availability Certificate No. 2003-0957 on August 29, 2003. All conditions on the certificate must be met prior to receiving water service.

A 15-inch public sanitary sewer (PSS) in NW 58th Street is available for sanitary discharge from all the proposed parcels. The utility easement included in the unit lot subdivision proposal is adequate to allow for side sewer connections to the PSS.

4. Whether the public use and interests are served by permitting the proposal;

The proposed unit lot subdivision is consistent with the relevant L-2 zone requirements and meets the minimum provisions of the Seattle Land Use Code. The proposal meets all applicable criteria for approval of a short plat as discussed in the analysis and decision. The public use and interests are served by permitting the proposed subdivision of land.

5. Conformance to the applicability provisions of SMC Section 25.09.240, short subdivision and subdivision in environmentally critical area;

The site is not located in an environmentally critical area.

6. Whether the proposal is designed to maximize the retention of existing trees;

Section 23.45.015 of the Seattle Municipal Code provides that trees shall be required when new lowrise multifamily dwelling units are constructed and this requirement may be met by using tree preservation option or tree planting option. The applicant elected the tree planting option because of the existing condition of the tree. The existing Douglas Fir with fourteen-inch (14") trunk diameter located at the rear portion of the site had been carelessly "topped" and pruned by previous property owners, causing the canopy of the branches and the associated root development to spread broadly into the building envelope, thus impacting the potential development of the property. Further reference was also made to the City arborist to assess the condition and he indicated that this was not a specimen tree worth retaining. In replacement for the existing tree, the applicant will plant five (5) new two-inch (2") caliper trees. This number of trees to be provided meets the requirements and provisions of the Code. Three (3) street trees will also be provided in the existing planting strip within the street right-of-way as required by Section 23.45.015 Screening and Landscaping in Lowrise Zones.

7. Conformance to the provisions of Section 23.24.045, Unit Lot Subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing or single family housing;

Section 23.24.045 of the Seattle Municipal Code provides that under certain circumstances, some types of parcels may be created that do not individually meet the zoning requirements for lot size, setbacks, density and structure width and depth. These are called unit lot subdivisions and may be permitted as long as the development as a whole meet the development standards. However, as a result of the subdivision, development on the individual lots may be nonconforming. To assure that future owners have consecutive notice that the additional development may be limited due to non-conformities, the following statement shall be required to be included as a note on the final unit lot subdivision: "The unit lots shown on this site are not separate buildable lots. Additional development on any individual lot in this subdivision may be limited as a result of applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code".

DECISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

CONDITIONS

Prior to Recording

The owner(s) and responsible party(s) shall:

1. Provide the final recording forms and fees. Have the final recording documents prepared by or under the supervision of a Washington State licensed land surveyor. Each lot, parcel or tract created by the short subdivision shall be surveyed in the field and all property corners set in conformance with the appropriate state statute. The property corners set shall be identified on the plat and the encroachments such as side yard easements, fences or structures shall be shown, as well as all structures and distances from them to the property lines. All existing structures, principal or accessory, shall be shown on the face of the plat and their distances to the proposed lot lines dimensioned. A licensed land surveyor shall stamp and sign the short plat drawings.
2. Insert the following on the face of the plat: "The unit lots shown on this site are not separate buildable lots. Additional development on any individual lot in this subdivision may be limited as a result of the application of the development standards to the parent lot pursuant to the applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code".
3. Provide easement as required by the Seattle City Light for electrical service to the proposed lots per Seattle City Light memorandum P.M. #250311-2-024. Show this easement on the face of the plat.
4. Post an address sign to benefit all units at a location visible from NW 58th Street and provide an easement, a covenant, or any other legal agreements to ensure that the address signage is maintained.

Signature: (signature on file) Date: December 25, 2003
Edgardo R. Manlangit, Land Use Planner
Department of Planning and Development
Land Use Division